New Jersey Economic Development Authority Small Business Liquor License Grant NOTICE OF FUNDING AVAILABILITY

The New Jersey Economic Development Authority ("NJEDA" or "Authority") will begin accepting applications for the pilot Small Business Liquor License Grant Program ("SBLLG" or "the Program") on October 29, 2025, at 10;00 AM EDT. The application will close three (3) years from the Program launch date or when funds are exhausted, whichever comes first.

The Program will make available up to \$10,000,000 in grant funding, as approved by the Authority Board on November 18, 2024, <u>Public Information - NJEDA</u>, through a rolling application process to reimburse eligible New Jersey small businesses up to 50% of the cost of a **previously inactive** Plenary Retail Consumption License, up to a maximum of \$100,000.

The application can be accessed at: <u>Small Business Liquor License Grant - NJEDA</u>. A \$500 approval fee is required upon approval of the application.

Purpose and Overview

The Program will support the reactivation of approximately 1,365 inactive liquor licenses in New Jersey by supporting existing eligible small businesses that acquire an inactive Plenary Retail Consumption License to expand their current operation and service offerings. The Program is part of the broader New Jersey Economic Recovery Act of 2020 ("ERA"), signed into law on January 7, 2021, and amended, which addresses the ongoing economic impacts of the COVID-19 pandemic and positions New Jersey to build a stronger and fairer economy that invests in innovation, communities, and small businesses. The ERA includes the Main Street Recovery Finance Program, which provides financial assistance to support the growth and success of small businesses in New Jersey.

Program Details

The Program supports eligible small businesses by offering up to 50% reimbursement of the purchase price of a previously inactive Class C Plenary Retail Consumption License purchased within 12 months prior to the application date, not to exceed \$100,000. The NJ Division of Alcoholic Beverage Control ("ABC") determines whether the license was previously inactive. The license may be purchased through a municipal transfer pursuant to N.J.S.A. 33:1-24.3a or from a private owner.

Funding

The total funding available for the Program is up to \$10,000,000, which is allocated from the Main Street Recovery Fund.

Forty percent (40%), or \$4 million, of the funding will be reserved for applicant businesses located in eligible NJ Opportunity Zone census tracts. This funding will be set aside for two (2) years from the date the application is made available to the public. Any portion of the reserved funds not used by that date will be made available to all eligible applicants.

The total funding and award amount are based upon current information about funding availability. NJEDA reserves the right to increase the amount and number of awards should additional funds become available.

Eligible Applicants

Eligible applicants are for-profit and non-profit small businesses that meet the Program requirements which include, but are not limited to:

- Applicant must own and possess a previously inactive Plenary Retail Consumption License at the time of application, with a purchase date within 12 months prior to application, or the license may be owned by a separate holding company ("co-applicant") for the applicant's exclusive use. The license must have been obtained through the process required by their local municipality. The license and supporting documentation must be provided to NJEDA to ensure the transaction has taken place and is finalized.
- Applicants must obtain and is responsible for all applicable local approvals.
- Applicants must rent or own and operate from a New Jersey-based commercial facility.
- Applicants must be open and operating for at least 12 months prior to application.
- Applicant must be a small business as defined by the Small Business Administration ("SBA"), based on North American Industry Classification System ("NAICS") industry code as indicated on the applicant's most recent tax return at the time of application.
- Applicants and co-applicants, if applicable, must provide a current Tax Clearance Certificate from the New Jersey Division of Taxation **prior to approval**.
- Applicants and co-applicants, if applicable, must provide federal income tax filings for the 3 most recent, consecutive years along with accepted extensions, if applicable. Businesses operating for less than 3 years must provide as many federal tax returns as filed.
- Applicants and co-applicants, if applicable, must provide a New Jersey WR-30, payroll report or equivalent information reflecting employment for the quarter prior to the application date at the time of application.
- Applicants and co-applicants, if applicable, must be in compliance with the ABC Act, statutes and regulations (N.J.S.A. 33:1-1 et seq.; N.J.A.C. 13:2-1.1 et seq.) **prior to approval**.
- Applicants and co-applicants, if applicable, must be in substantial good standing with the New Jersey Department of Labor & Workforce Development ("NJDOL") and the New Jersey Department of Environmental Protection ("NJDEP") **prior to approval.**
- Applicants and co-applicants, if applicable, must not be in default with any other NJEDA or State assistance and must certify to same at time of application.

Note: Applicants are eligible to receive a Small Business Improvement Grant ("SBIG"), Small Business Lease Grant ("SBLG") and Small Business Liquor License Grant ("SBLLG") for the same location.

Ineligible Applicants

- If the applicant or any person who controls the applicants or owns or controls more than one percent (1%) of the stock of the applicants has applied for or received a license or a certification from the NJ-CRC, the applicant is not eligible.
- If the applicant or any person who controls the applicants or owns or controls more than one percent (1%) of the stock of the applicants is an officer or employee of any agency, authority or other instrumentality of the State of New Jersey the applicant is not eligible.
- Applicants that have transferred the license between entities with common ownership are **not eligible**.
- Landlords and real estate holding entities are **not eligible**.
- Applicants holding other liquor licenses, including but not limited to, special licenses for shopping
 malls and strip malls issued pursuant to N.J.S.A. 33:1-12 18(6)(a) and licenses issued for breweries,
 distilleries, winemakers, cideries, meaderies, club facilities, sporting facilities, concessionaires,
 hotels/motels, blenders, brokers, or those related to warehousing, distribution, transportation, or
 wholesale are not eligible.
- Applicants that conduct or purveyance of "adult" activities, services, products or materials; any auction or bankruptcy or fire or "lost our lease" or "going out of business" or similar sales; sales by transient merchants, Christmas tree sales, or other outdoor storage; or any activity constituting a nuisance; has applied for or received a cannabis license, conditional license, certified businesses or any other prohibited activities under N.J.S.A. 24:61-49(b)(2)(a) and (b); and any illegal purposes are not eligible.

Funding Uses and Restrictions

Grant proceeds may be used towards working capital **only**. Construction, equipment, or contracts of labor costs **are not eligible**.

Application Submission and Review Process

Applications will be accepted on a rolling basis via the <u>NJEDA Online Application Center</u> for 3 years, or until funds are exhausted, whichever comes first. Applicants must complete all required application questions fully and upload all required documents.

NJEDA staff will review all applications for completeness and eligibility. Applicants with missing or incomplete documentation will receive an email notification from NJEDA to cure deficiencies or provide any needed clarifications. Applicants will be given ten (10) business days from the notification date to cure deficiencies and/or clarify any submitted documentation that may be requested. Applications that are still incomplete at the end of this 10-business day period will be administratively withdrawn.

Grant Award Amount

The Program provides a reimbursement of 50% of the purchase price of a previously inactive Plenary Retail Consumption License, not to exceed \$100,000. The grant amount will be determined by utilizing the

purchase/sale agreement to determine the purchase price of the license, excluding settlement and closing costs. No other costs associated with that purchase are eligible.

Applicants are limited to one (1) award per Employer Identification Number ("EIN"). Applicants operating from multiple locations under a single EIN are limited to one application for the life of the Program.

Grant Agreement & Post Compliance Requirements

Upon payment of the approval fee by the applicant ("awardee"), the Authority will execute a grant agreement with the awardee, after which the full grant amount will be disbursed. To ensure the grant funds are used properly and the community receives the benefit, the grant agreement will include a provision that the awardee may not sell or cease operating the business for a **compliance period of five (5) years following execution of the grant agreement.** The awardee must certify annually that it continues to operate from the licensed premises and is in compliance with the ABC Act, statute and regulations beginning 12 months after execution of the grant agreement and every year thereafter for the duration of the 5-year compliance period.

NJEDA will require that a 5-year deed restriction on the property is filed utilizing the NJEDA's required restriction language. The deed restriction will be released by the Authority after the 5-year compliance period.

If the awardee sells the property or ceases operating the business within the 5-year compliance period, repayment of all or a portion of the grant will be required. Repayment of the grant will be prorated based on years of compliance, with 20% reductions for each full year the applicant is in compliance with the terms of the grant.

Additionally, awardee must comply with the minimum wage requirement to pay all employees (including full-time and part-time) the greater of \$15/hour or 120% of minimum wage rate and to pay regularly tipped employees, if applicable, at least 120% of the minimum wage rate throughout the 5-year compliance period per section 5 of Public Law (P.L.) 1966, chapter (c.) 113 New Jersey Statutes Annotated (N.J.S.A.) 34:11-56a4. The awardee must certify and provide the most recently filed NJ WR-30, payroll report or equivalent information annually, beginning 12 months after execution of the grant agreement and every year thereafter for the duration of the 5-year compliance period.

In case of a grant default, the 5-year compliance period and the term of the deed restriction will be extended for as long as the default remains outstanding and uncured. At the sole discretion of the Authority, awardees may cure a default of a grant agreement term by restoring its good standing and satisfying the remaining (extended) compliance period, or by repaying all or a prorated amount of the grant, based on the years of compliance.

Fees

A \$500 approval fee is required following approval of the grant award and prior to execution of the Grant agreement.

Additional Information

Information about the Small Business Liquor License Grant is available at <u>Small Business Liquor License</u> Grant - NJEDA.

Questions about the Program should be submitted to smallbusinessservices@njeda.gov.

State and Federal Requirements

Funding for this grant is subject to State and Federal statutes including, but not limited to, the following, which may impact affiliates: N.J.S.A. 52:32-60.1, et seq., which prevents the New Jersey government entities from certain dealings with businesses engaged in prohibited activities in Belarus or Russia; Compliance with the list of "Specially Designated Nationals and Blocked Persons" promulgated by the Office of Foreign Assets Control (OFAC), https://sanctionssearch.ofac.treas.gov; N.J.S.A. 24:6I-49 which provides that the following are not eligible for most State or local economic incentives (a) a person or entity issued a license to operate as a cannabis cultivator, manufacturer, wholesaler, distributor, retailer, or delivery service, or that employs a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service; and (b) a property owner, developer, or operator of a project to be used, in whole or in part, by or to benefit a cannabis cultivator, manufacturer, wholesaler, distributor, retailer, or delivery service, or to employ a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service; and N.J.S.A. 52:13D-12, et seq., which prohibits a member of the Legislature or a State officer or employee or their partners or a corporation in which they owns or controls more than 1% of the stock to undertake or execute any contract, agreement, sale, or purchase of \$25.00 or more, made, entered into, awarded or granted by any State agency, with certain limited exceptions including grant awards by the New Jersey Commission on Science, Innovation and Technology.